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Chairperson: Ms. Gittens-Joseph ..... (Trinidad and Tobago)

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The meeting was called to order at 10.20 a.m.

Agenda item 109: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (A/55/12 and Add.1, A/55/472 and A/55/506-S/2000/1006)

1. **Mrs. Ogata** (United Nations High Commissioner for Refugees), reflecting on her 10 years at the head of the Office of the United Nations High Commissioner for Refugees (UNHCR), said that, despite the hopes roused by the end of the cold war, the situation had quickly become very complicated for the work of that Office, as evidenced by the mass exodus of Iraqi Kurds and the events in the Balkans and Central Africa. The international community had been slow to take action, as in the case of Bosnia and Herzegovina, Kosovo and the Great Lakes region of Africa, and, confronted with such confusing notions as "humanitarian wars", the Office of the High Commissioner had had to explore new intervention strategies. In so doing, it had helped millions of refugees to return to their homes in such places as Mozambique, Indochina and Central America. The key lesson it had learned was that lasting solutions took time, effort and sustained international engagement.

2. Turning to the current challenges faced by her Office, she said that, in Bosnia and Herzegovina and Croatia, refugees were returning home and tensions were subsiding. That trend could only last if resources were mobilized, in particular through the framework of the Stability Pact, to build houses and to create jobs. In Yugoslavia, where encouraging political changes had recently taken place, the Office must ensure the repatriation of half a million refugees from Bosnia and Herzegovina and from Croatia — focusing on freedom of movement, acceleration of property restitution and quick-impact interventions to facilitate returns. In Kosovo, while the return of 200,000 Serbs and other non-Albanians was as yet unfeasible, the Office must assist the Serb, Roma and other minorities living in that province.

3. In Rwanda, the reintegration activities of UNHCR were ending, but development actors were expected to step in. The Government must also, however, have the will to resolve the fundamental problems of power-sharing and democratization. In Burundi, the fighting had continued despite the resolute efforts of President Mandela. With the return of peace, UNHCR would be prepared to help with the repatriation of the more than half a million Burundian refugees living in the United Republic of Tanzania. In the Horn of Africa, where determined international efforts had produced a ceasefire, the Office had helped many refugees and displaced persons to return home. The signing of a peace agreement would permit UNHCR to take more decisive action.

4. In other regions, however, a combination of factors (rebel movements, weak conflict-resolution processes, and a lack of decisive international involvement) hampered the search for solutions. In the Democratic Republic of the Congo, for example, little was done to alleviate the plight of peoples victimized by the conflict. In West Africa, the failure to implement the Lomé Agreement continued to prevent half a million Sierra Leonean refugees from returning home. Humanitarian efforts carried out in that region must be coupled with adequate security support. International backing for United Nations peacekeeping forces indeed appeared to be weakening, a trend which could well lead to a humanitarian catastrophe in the region.

5. In West Timor under harrowing conditions and in the face of harassment and intimidation from militias, UNHCR had extracted large numbers of refugees from the camps. The murder of three staff members had forced the Office to suspend its operations pending the disarming and disbandment of the militias and the arrest and prosecution of the killers.

6. Two and a half million Afghan refugees lived in exile, and that number was continually expanding as a result of renewed fighting and the intense drought that had stricken the country. Owing to funding constraints, the Office was scarcely able to meet their basic needs. In her discussions with the Taliban authorities, she had stressed the negative impact of some of their policies on the return of refugees, regarding, for example, the employment of women and the education of girls.

7. In Chechnya, where there were large numbers of refugees and displaced persons, the dangerous security conditions made the work of UNHCR very difficult. The Office would nonetheless continue to provide assistance to Chechen refugees in Ingushetia as well as to vulnerable groups within Chechnya.

8. There were numerous other cases in which solutions remained elusive: inter alia, the 400,000

Sudanese refugees scattered across several African nations; the half-million Sri Lankans displaced by the internal war; the hundreds of thousands of displaced persons in Colombia; the 100,000 Bhutanese refugees still waiting in Nepal; and the 100,000 refugees living in the overcrowded camps along the border between Thailand and Myanmar.

9. With regard to prospects for the future, she said that there were a number of areas requiring reflection and concrete action.

10. First, the emergency preparedness and response capacity of UNHCR, which lay at the heart of all its activities, must continue to be strengthened. The emergency mechanisms established in 1992 had dramatically improved the operations of her Office. And yet the crisis in Kosovo had shown the need to revise those mechanisms in the light of the changing humanitarian environment.

11. Secondly, a secure environment must be created for refugee-populated areas and for humanitarian operations, so as to prevent tragic consequences in refugee camps, as had occurred, for instance, in the Democratic Republic of the Congo and West Timor. Since 1997, she had been advocating the creation of a spectrum of options, including traditional peacekeeping on the one hand and a reliance on local capacities on the other. The objective of UNHCR was to operationalize "medium options" by, for example, deploying police or international civilian monitors to strengthen local law enforcement mechanisms. In that regard, the Office was contributing to the Secretary-General's efforts to implement the recommendations of the report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809). In addition to the matter of refugees and displaced persons, it was also necessary to ensure the safety of UNHCR staff, who often had to work in very dangerous areas. The support shown for the Office by Governments and the public should be translated into concrete political action and financial measures.

12. Third, new approaches to forced population movements must be developed, based on a reinforced international refugee-protection regime. There was an increasing tendency to confuse asylum-seekers fleeing human rights violations and people seeking better economic opportunities, resulting in the tendency of Governments to make it increasingly more difficult for asylum-seekers to find a home. The Office was launching global consultations with Governments, with a view to establishing an effective international protection regime. That initiative had been welcomed both by Governments and by the UNHCR Executive Committee.

13. Fourth, much more attention should be paid to the phase following conflicts. Scenes of misery and death sometimes seemed a prerequisite for donor interest; it was much more difficult to obtain the necessary resources for refugee returns, for example. Despite coordination efforts agreed among United Nations bodies at the request of Governments, the latter had not increased their political or financial support. Coexistence between divided communities should also be promoted in the aftermath of a conflict. To that end, her Office had launched a number of pilot projects under the title "Imagine coexistence" in Bosnia and Rwanda.

14. In order to meet such challenges, the Office should be managed and equipped for a faster, technologically advanced and globalized environment. Such modernization cost money. The Office's financial situation, however, was not encouraging; contributions in 2000 had not matched the budget approved by the Executive Committee. Cutbacks had therefore had to be made, with direct repercussions on some policy priorities, namely women, children and the environment. The lack of reliable funding had made long-term planning impossible, diminished the Office's credibility and strained relations with refugees, Governments and non-governmental organization partners. She stressed that the Office would be critically weakened if an urgent response to the funding situation was not forthcoming.

15. Her Office, which would mark its fiftieth anniversary in December 2000, unfortunately owed its longevity to the fact that persecution and conflict continued to exist. It was therefore appropriate to celebrate not the Office but rather the courage, determination and capacity for survival of refugees. On 14 December 2000, the independent Refugee Education Trust would be launched, with the aim of giving refugees in developing countries opportunities for post-primary education. She hoped that the initiative would be supported. She also hoped that the General Assembly would take up the recommendation to designate 20 June "World Refugee Day", to coincide with Africa Refugee Day.

16. She was grateful to the General Assembly for having shown confidence in her by entrusting her with profound responsibilities as High Commissioner. She also expressed gratitude to the staff of the Office for their support and their remarkable work. She was confident that the Office would benefit from the wealth of experience which her successor, Mr. Ruud Lubbers, would bring to his post.

17. **Mr. Knyazhinsky** (Russian Federation) expressed his delegation's appreciation for the Office's assistance to his country in dealing with refugees, for the privileged partnership that the Government had enjoyed with the Office and for the important role that the Office had played in implementing the results of the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in 1996. His delegation believed that the experience gained by the Office in some regions could be used to good effect in other regions and therefore wished to ask the High Commissioner what Governments, international organizations, donors and funding bodies should do, in her opinion, that might help settle the problems posed by migratory movements in the Commonwealth of Independent States.

18. **Ms. Hajjaji** (Libyan Arab Jamahiriya) said that the 10 years during which the High Commissioner had carried out her functions had been characterized by so-called "humanitarian wars" and ethnic conflicts leading to massive refugee flows in various parts of the world, which had made the Office's task considerably more difficult.

19. UNHCR had sometimes been criticized for lacking impartiality, on the grounds that it had not applied the same rules to refugees and to persons displaced in their own countries. However, it tried to establish a balance among all the parties, to help all refugees and to protect the lives of the most vulnerable, by, for example, ensuring their safety in camps which were full of soldiers and weapons, even though its own staff had no means of defence and sometimes sacrificed their lives. Her delegation, while paying tribute to all donors who provided the Office with assistance, emphasized that such assistance should not depend on the ethnic origin, colour, religion or country of origin of the beneficiaries and that all refugees should be treated without discrimination, with the same humanitarian approach.

20. Her delegation would like to ask the High Commissioner which had been the gravest crises over the past 10 years, which problems had been the most complex and which had been the best solutions.

21. **Mr. Zoumanigui** (Guinea), having thanked the High Commissioner for the high quality of her report (A/55/12), asked what conclusions she had been able to draw from the 10 years that she had spent as High Commissioner.

22. His country, which over the past 10 years had received the largest number of refugees in Africa in relation to its population, continued to honour its international commitments and to respect the African tradition of hospitality. Refugees, for their part, however, must respect national laws and regulations in the interests of ensuring the security and stability of the receiving countries. It called again for receiving countries to be given greater assistance in their efforts.

23. After expressing warm thanks to the High Commissioner for her indefatigable activities on behalf of refugees, his delegation emphasized that her successor would enjoy its full cooperation.

24. **Mr. Čalovski** (The former Yugoslav Republic of Macedonia) said that the High Commissioner's opening statement showed her devotion to the cause of refugees. Noting that by the High Commissioner's own account the return of refugees in Eastern Europe was generally proceeding well, he requested her advice on the best course to follow in the future.

25. **Ms. Kapalata** (United Republic of Tanzania) said that her Government was fully committed to the cause of refugees and supported the global consultations that had been launched. Although they clearly did not aim to renegotiate the 1951 Convention, the consultations should, in her delegation's view, give close consideration to what it meant to be a refugee, in order to do away with all the ambiguities and controversies surrounding the status of refugees over the years. Her delegation also considered that there should not be discrepancies in the figures quoted for numbers of refugees and numbers of countries of refuge; the figure for Burundian refugees in Tanzania differed in the High Commissioner's introductory statement and in the Secretary-General's report (A/55/471). Yet the number

of refugees involved had to be taken into account when programmes and plans were set up.

26. **Mrs. Ogata** (United Nations High Commissioner for Refugees) said that Guinea and the United Republic of Tanzania deserved the warmest gratitude for giving refuge to a large number of refugees from Sierra Leone and Liberia for a long period of time. It did not seem fair that some countries not only had to bear an extremely heavy economic and social burden for very long periods but also were subjected to deteriorating border security. She believed that the international community should take more action to relieve all countries which received refugees for extremely long periods. UNHCR would need to step up its efforts to encourage the international community to take a greater long-term interest in such situations and to seek solutions along with other United Nations partners.

27. With regard to the question raised by the United Republic of Tanzania, she said that the difference between the figures was due to the fact that the Office based its calculations on the number of people who had crossed the border into Tanzania after 1993 and for whom it provided assistance. Such assistance was not given to the large number of refugees who had arrived in Tanzania in 1972, unless they wished to be repatriated.

28. In reply to the Russian delegation, she noted that there had been extremely complicated population movements in the Russian Federation, which was why a conference had been held in Moscow in 1992 to try to regulate and stabilize the mass flows of people. There was much to learn from the policy that the Russian Federation was attempting to implement. Whether forced or spontaneous movements of peoples were concerned, specialists in legal and migration issues and humanitarian personnel were needed to manage migratory movements in the best way possible without detriment to the population. She did not, however, believe that there would be greater stability in the twenty-first century.

29. Responding to the representative of the Libyan Arab Jamahiriya, the High Commissioner said that despite all the difficulties — and even the failures — experienced, UNHCR had nevertheless succeeded in saving many lives. UNHCR staff always strived to be present in the field alongside the populations concerned, often exposing themselves to many dangers. No quick-fix solution existed; customs, mentalities and hatreds did not change overnight. It was her view that Governments should act more swiftly and implement preventive measures to prevent situations from degenerating into real conflict.

30. In conclusion, she said that although she had no intention of living the life of a recluse, she felt the need to take a break to review events.

31. **Mr. Cordeiro** (Angola) expressed concern at the disparity between the figures contained in the report of the United Nations High Commissioner for Refugees (A/55/12) and those contained in the report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/55/471). There was also disparity in the figures for the refugees in Angola and the Angolan refugees in Zambia (paras. 46, 47 and 53 of the report of the Secretary-General and table 3 of the UNHCR report). Nor did the figures quoted for the total number of refugees receiving UNHCR assistance in Africa tally (para. 3 of the report of the Secretary-General and table 3 of the UNHCR report), and that could affect donor funding for refugees in Africa.

32. **Ms. Whyte** (Costa Rica) thanked Mrs. Ogata for her admirable service over the past decade and for the support she had lent to Costa Rica during the crisis in Central America when Costa Rica had received large refugee flows. It should be noted that Costa Rica today was similarly assisting refugees fleeing the armed conflict in Colombia. Her delegation was also grateful to the High Commissioner for referring in her report (A/55/12) to the efforts made by her country to integrate immigrants, legal or irregular, into Costa Rican society, through an amnesty programme benefiting more than 250,000 persons.

33. **Mr. Aguzzi-Durán** (Venezuela), after thanking the High Commissioner for all the work she had accomplished during the term of her mandate, drew her attention to paragraph 47 of the report (A/55/12) which required clarification. Between 1 January 1999 and 31 March 2000, there had been no influx of refugees from Colombia. On one occasion only, in 1999, the Venezuelan authorities had helped a group from Colombia to cross Venezuelan territory from one area in Colombian territory where they had felt themselves to be in danger to another area in Colombia where they had considered that they would be safer. For several decades now in Venezuela, there had been mass immigration from Colombia involving millions of immigrants, both legal and illegal. A large proportion

of the immigrants whose papers were in order had obtained permanent residence permits over the years. For the overwhelming majority, immigration was propelled by family and economic considerations. Migratory flows had begun to decrease once economic conditions in Venezuela had become less attractive. The Venezuelan delegation would not comment on events in Panama and in Ecuador, also mentioned in the report, but it vigorously denied the groundless assertion that Venezuela hosted in its territory "large populations of undocumented Colombians" who had "opted to remain anonymous for security reasons". Furthermore, Venezuela had never carried out mass expulsions of immigrants in an irregular situation, nor had it ever threatened to do so; illegal immigrant status had never meant that access to free education and health services provided by the Venezuelan State was denied to those concerned.

34. **Mr. Nteturuye** (Burundi) thanked Mrs. Ogata on behalf of his Government, the people of Burundi and refugees in particular for the tireless efforts she had expended since 1991. The dialogue she had held with all partners had been much appreciated by the Burundian authorities, by the authorities of the host countries and by the refugees themselves. Unfortunately, Mrs. Ogata was leaving her post at a time when Burundi was poised between a hoped-for peace and the reality of fierce war. The signature of the peace accord by 19 parties had in fact been immediately followed by a resurgence of violence and by the rebel movement's refusal to join in the peace process. Much therefore still remained to be done, and if Mrs. Ogata would agree to make a final visit to the Great Lakes region, the Government of Burundi would be extremely grateful. During such a visit, she could deliver a strong message to some of Burundi's neighbours, urging them to sincerely work for peace and for the return of the refugees, and to stop supplying arms to the rebel movements. She might also bring a message of thanks to Burundi's other neighbours who hosted refugees and who were sincerely supporting the peace process. Finally, the Government of Burundi was committed to close cooperation with the successor High Commissioner.

35. **Mr. El Aas** (Sudan), after thanking Mrs. Ogata for the admirable work she had accomplished and stressing his Government's willingness to cooperate with her successor, said that refugee movements were the by-product of political conflicts attributable to the big Powers. He hoped that in future, the international community and the United Nations in particular would make more sustained efforts for peace, particularly for conflict prevention. Echoing the concern expressed by the High Commissioner in her report (A/55/12), he lamented the scarce resources at the agency's disposal. He also deplored the fact that the allocation of those resources were increasingly dependent on political considerations connected with States' positions, whereas refugees should in fact enjoy equal access to humanitarian assistance regardless of their colour or origin. The United Nations should properly note and combat that tendency, in order to ensure that refugee assistance remained purely humanitarian.

36. **Ms. Afifi** (Morocco) paid a tribute to Mrs. Ogata, requesting her advice and recommendations on the complex issue of refugees and UNHCR activities.

37. **Mrs. Ogata** (United Nations High Commissioner for Refugees) said that the manner in which the Office of the High Commissioner distributed its aid to refugees was not influenced by political, religious or any other criteria. Its only criteria was need. Nevertheless, certain contributions were earmarked by donors for specific causes, which led to some refugees receiving more assistance than others. The Office of the High Commissioner urged donors not to earmark their contributions thus enabling the agency to utilize them equitably.

38. With regard to the apparent disparities between certain statistics, the High Commissioner would ask her colleagues to provide the clarifications requested. With regard to Angola, the problem was that some statistics included a certain number of displaced persons whom UNHCR did not necessarily assist. It was difficult to avoid discrepancies between statistics covering refugees as a whole and populations of concern to UNHCR and statistics which only took account of refugees in receipt of direct assistance from UNHCR. In any case, statistics should be viewed with caution since UNHCR was rarely in a position to make a thorough census of the populations concerned.

39. With regard to the observations made by the Venezuelan delegation concerning paragraph 47 of the report of the High Commissioner (A/55/12), she again proposed to ask her colleagues to make the necessary checks. As far as she was aware, there had indeed been some population outflow from Colombia recently,

which was a matter of concern to all neighbouring countries.

40. The situation in Burundi was a matter of great concern to her and she would be alerting her successor accordingly. She hoped that the progress achieved in respect of the peace accord would help the rebel movements to recognize that peace was an absolute prerequisite for ensuring the well-being of people. In the field, UNHCR was already prepared to receive the returnees and to contribute to their full reintegration in cooperation with the agency's partners and in the framework of a well-coordinated programme of reception.

41. **Mr. Prica** (Bosnia and Herzegovina) said that his delegation was grateful to Mrs. Ogata for everything she had done for Bosnia and Herzegovina in the terrible years both during and after the conflict. His Government welcomed the recent political change in Yugoslavia, which should contribute not only to the resolution of the overall situation but also to the resolution of the refugee situation. He trusted that UNHCR would help the Yugoslav Government to deal with the country's 500,000 or so refugees, many of whom came from Bosnia and Herzegovina and Croatia.

42. The changes which had occurred in Croatia should also be welcomed, since they brightened the future prospects of the entire region. Lastly, the expected recovery of the Yugoslav economy would be beneficial for Bosnia and Herzegovina and would reduce practical obstacles to the return of refugees. The refugees would be more willing to return to their homes once they could be assured that political solutions had been implemented.

43. **Mr. Musenga** (Rwanda) thanked UNHCR for its assistance to the people of Rwanda, particularly during the critical period following the genocide. The Office of the High Commissioner had helped the Rwandan Government to repatriate more than 3 million refugees at a time when the Rwandan people were being held hostage by *interahamwe* militia in the Democratic Republic of the Congo and appeals to the international community for help had fallen on deaf ears. Rwanda was eventually able to resolve the problem on its own by dismantling the camps. Mrs. Ogata had visited Rwanda on several occasions, and his delegation hoped that she would pay another visit to Rwanda before her mandate expired.

44. With regard to the reference in the High Commissioner's opening statement to democratization and inadequate power-sharing in Rwanda, he pointed out that the Government had agreed to share power since 1994 after the signing of the Arusha Peace Agreement, and that Rwanda had since begun to implement democratization measures and that process was currently under way. In conclusion, the Government of Rwanda welcomed the UNHCR initiative to launch a pilot project entitled, "Imagine coexistence", which were actually a mechanism for reconciliation.

45. **Mr. Campuzano** (Mexico) congratulated Mrs. Ogata on the exceptional manner in which she had fulfilled her mandate and underscored the close cooperation his country had enjoyed with UNHCR for more than 10 years in relation to the situation of Guatemalan refugees in Mexico. He recalled the High Commissioner's visit to Santo Domingo in the State of Campeche, when she attended the ceremony marking the closure of the programme of assistance and voluntary repatriation of Guatemalan refugees. On that occasion, the President of Mexico had reaffirmed his Government's commitment and respect for international law, the protection of human rights, and its traditional policy in favour of the right to asylum and refugees.

46. **Mr. Rezvani** (Islamic Republic of Iran), after praising the tireless efforts made by Mrs. Ogata on behalf of refugees over the previous 10 years, referred to the High Commissioner's mention of the 2.5 million Afghan refugees. The High Commissioner's remarks had been confined to deploring the plight of those refugees and the drought which was making their repatriation to Afghanistan even more difficult. His delegation therefore wished to know what recommendations the High Commissioner might have for putting and end to a self-perpetuating situation.

47. In her remarks, the High Commissioner had not mentioned the neighbouring countries which had for a long time borne the burden of hosting Afghan refugees. The Islamic Republic of Iran had received the largest number of refugees over the longest period. The presence of refugees in Iran, for over 20 years, had led to a number of difficulties, not to mention the amounts invested in social, health, educational and other services being provided them.

48. Moreover, the Iranian delegation endorsed the appeal launched by the High Commissioner for the international community to allocate additional financial, political and human resources for the purpose of establishing conditions in Afghanistan conducive to the repatriation of Afghan refugees in dignity. To that end, the international community should redouble its efforts to persuade the leaders of Afghanistan to strive for national reconciliation, the only way to rebuild the peace and security which was essential to the return of the refugees.

49. **Ms. Oléa** (Congo) thanked the High Commissioner for the assistance provided to the Republic of the Congo. She noted with regret that political crises affecting a number of States, particularly in Africa, had led to waves of refugees living under extremely precarious conditions, as in the case of northern Congo, where refugees had fled fighting which had erupted in the Equator province in the Democratic Republic of the Congo. Her Government wished to reiterate its willingness to assist and protect those people, and would endeavour to strengthen its links with its neighbours. She appealed to the international community to devote its energies to resolving the problems of the region and to render assistance both to the populations at risk and the host countries. In conclusion, the Congolese delegation encouraged Mrs. Ogata's successor to place greater emphasis on disaster prevention and management.

50. **Ms. Raquiz** (Croatia) stressed that, in the light of recent events in Croatia and the region, her delegation welcomed the comments made by the High Commissioner in her opening remarks on the positive role expected of the new players in the region, and on the need to increase the resources available to the Stability Pact. The Croatian delegation asked Mrs. Ogata how she perceived the role of UNHCR acting in parallel with the Stability Pact, given reduced humanitarian operations in the region.

51. **Mrs. Ogata** (United Nations High Commissioner for Refugees) replied that recent changes in the Federal Republic of Yugoslavia had changed the nature of the issues of concern to UNHCR, particularly with regard to the possible return to their respective countries of Croatian Serbs, Bosnian Serb refugees in Serbia, as well as the return of approximately 600,000 persons displaced from Kosovo who had sought refuge in Serbia. Returns to Croatia and Bosnia-Herzegovina had already begun, but the most problematic situation prevailed in Kosovo. Some displaced persons from Kosovo would return to their homes, and she firmly believed that it would be possible to reintegrate the rest into Serbia, a process which UNHCR could assist, particularly if the country's economic situation were to improve.

52. As regards Rwanda, UNHCR was doing its utmost to contribute not only to the process of repatriating refugees, but also to the enormous project of building shelters at a time when scarcely enough funds were being earmarked for development. UNHCR also tried to place emphasis on reconciliation and community projects.

53. Turning to the situation in Mexico, she said the Government had set an example by giving Guatemalan refugees the choice between voluntary repatriation or acquiring Mexican nationality. It was hoped that the Mexican example would inspire other countries in a similar position.

54. In the case of Iran, which was host to more than a million Afghan refugees, the High Commissioner referred to a project launched in 2000 which had been sponsored jointly by the Government of Iran and UNHCR. The project offered a small grant to refugees who volunteered to be repatriated to Afghanistan, a solution chosen by many refugees. The other solution it proposed to the Afghans seeking refugee status was for them to explain to a mixed commission comprising representatives of UNHCR and the Government of Iran, the reasons why they feared returning to Afghanistan based on their past experience. It had been established that almost one third of the asylum seekers needed protection and should be allowed to remain in Iran. That procedure might help to reduce the tremendous burden borne by Pakistan and Iran. However, such a solution would ultimately depend on the attention paid to the whole problem of Afghanistan.

55. UNHCR was extremely concerned by the situation in the Republic of Congo where there were said to be up to 100,000 new refugees who were hard to reach. UNHCR was trying to rally the support of the international community, and Mrs. Ogata said that she fully endorsed the appeal launched by the Government.

56. She welcomed the changes in Croatia and the fact that refugees had begun to return, with the assistance of UNHCR, which was also engaged in drawing attention to the need for material assistance. In collaboration with the Croatian Government, UNHCR had proposed

projects which could be financed within the framework of the Stability Pact.

Agenda item 107: Advancement of women (*continued*) (A/C.3/55/L.16/Rev.1 and A/C.3/55/L.33)

Draft resolution A/C.3/55/L.16/Rev.1: The critical situation of the International Research and Training Institute for the Advancement of Women

57. **The Chairperson** said that the programme budgetary implications of draft resolution A/C.3/55/L.16/Rev.1 were contained in document A/C.3/55/L.33.

58. **Ms. Ukaeje** (Nigeria) said that Austria, Croatia, Greece, Ireland, Portugal, Romania, Spain and the former Yugoslav Republic of Macedonia had become sponsors of the draft resolution, and she expressed the hope that the text would be adopted by consensus.

59. **Mr. Rabby** (United States of America) said that his delegation, regretfully was not joining the consensus on the draft resolution because paragraph 6 stated that financial assistance would be provided to the Institute "in a fashion to be determined", perhaps meaning through an appropriation from the regular budget, which was contrary to article VII of the Statute of the Institute. Moreover, rule 153 of the rules of procedure of the General Assembly stipulated that no resolution involving expenditure could be recommended for approval by the General Assembly unless it was accompanied by an estimate of expenditures prepared by the Secretary-General, which was not included in draft resolution A/C.3/55/L.33 and would not be known until the draft was submitted subsequently to the Fifth Committee. Lastly, his delegation wished to emphasize that the situation of the Institute would be less precarious if it received the $188,551 pledged in contributions that remained outstanding.

60. *Draft resolution A/C.3/55/L.16/Rev.1 was adopted.*

61. **The Chairperson** suggested that the Committee should recommend that the General Assembly should take note of the note by the Secretary-General transmitting the report on the activities of the United Nations Development Fund for Women (A/55/271).

62. *It was so decided.*

63. **The Chairperson** announced that the Committee had thus concluded its consideration of agenda item 107.

Agenda item 113: Right of peoples to self-determination (*continued*) (A/C.3/55/L.32)

Draft resolution A/C.3/55/L.32: The right of the Palestinian people to self-determination

64. **The Chairperson** said that draft resolution A/C.3/55/L.32 had no programme budget implications. She recalled that Bosnia and Herzegovina, Brazil, Japan, Liechtenstein and Norway had been announced as sponsors when the draft resolution had been introduced, and that Saint Lucia had been included in the original list of sponsors in error.

65. **Mr. Bebars** (Egypt) said that Angola, Argentina, Eritrea, Ethiopia, Ghana, Iceland, India, Saint Lucia, the former Yugoslav Republic of Macedonia and Turkey had become sponsors since the draft resolution had been introduced. He expressed the hope that the draft resolution would be adopted by consensus.

66. **Ms. Elliott** (Guyana) and **Mr. Manyokole** (Lesotho) announced that their delegations also wished to sponsor the draft resolution.

67. **The Chairperson** announced that a recorded vote had been requested on the draft resolution and recalled that, in accordance with rule 128 of the rules of procedure, the proposer of a proposal or of an amendment was not permitted to explain his or her vote on his or her own proposal or amendment.

68. **Mr. Sultan** (Israel), speaking in explanation of vote before the voting, said that his country supported the right of all peoples to self-determination, including in the Middle East, as had been demonstrated by the Camp David Agreement, more than 20 years earlier, and the Oslo process, by which Israel had recognized the legitimate rights and just demands of the Palestinian people, but the draft resolution prejudged the outcome of the permanent-status negotiations. Israel hoped, however, that the violence would quickly be brought to an end and that the peace process would resume very shortly.

69. *A recorded vote was taken on the draft resolution.*

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria,

Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Canada, Marshall Islands, Tonga.

70. *Draft resolution A/C.3/55/L.32 was adopted by 147 votes to 2, with 3 abstentions.*

71. **Ms. Wensley** (Australia) said that, while her delegation had voted for the draft resolution as a whole, which appeared to be a clear reaffirmation of the right of the Palestinian people to self-determination, had the Committee voted paragraph by paragraph, her delegation would have abstained in the voting on paragraph 1, because it considered that the right of the Palestinian people to a State should be the subject of an agreed solution between the parties on the basis of Security Council resolutions 242 (1967) and 338 (1973), the Oslo Agreements and the "land for peace" principle.

72. **Mr. Hynes** (Canada) said that his delegation had abstained in the voting because it considered that the establishment of a Palestinian State must be the outcome of negotiations between the parties concerned.

73. **Mr. Rogov** (Russian Federation) said that his country would spare no effort to bring the parties to a compromise and to put an end to the violence. It was vital that the negotiations between the two parties should resume and that both sides should demonstrate restraint and cease all provocation.

74. **Ms. Contamin** (France), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, and, in addition, Iceland and Liechtenstein, said that the European Union wished to affirm, as it had at the European Council meeting held in Berlin on 25 March 1999 and in its statement issued in New York on 12 September 2000, the unconditional right of the Palestinian people to self-determination and its right to build a sovereign State. The establishment of a sovereign, democratic and viable State, on the basis of the existing agreements and the negotiations, would be the best guarantee of security for Israel. The European Union called on Israel and the Palestinians to find an agreed solution to the conflict, without prejudice to the right to self-determination, which could not be the subject of a veto.

75. **Ms. Barghouti** (Observer for Palestine) thanked the representative of Egypt for introducing the draft resolution, which was of critical importance, since it was sponsored by 91 States and provided strong support for the right of the Palestinian people to self-determination and to the creation of their own State. She regretted that the United States had voted against the draft resolution and criticized the attitude of Israel, which could not both recognize as legitimate the demands of the Palestinian people and at the same time deny them the right to self-determination, an inalienable right that transcended any agreement.

76. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 113.

Agenda item 114 (a): Human rights questions: implementation of human rights instruments (*continued*) (A/C.3/55/L.29 and L.30)

Draft resolution A/C.3/55/L.29 entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families"

77. **The Chairman** said that draft resolution A/C.3/55/L.29 had no programme budget implications and recalled that, at the time of its introduction, Bolivia, Nicaragua and Sri Lanka had been the sponsors of the draft resolution. She wished to announce that Haiti, Kenya and Paraguay had since joined the list of sponsors.

78. **Ms. Monroy** (Mexico) said that Azerbaijan, Ghana, Honduras, Portugal, Tunisia and Turkey had also joined the list of sponsors and she hoped that the draft text could be adopted by consensus.

79. *Draft resolution A/C.3/55/L.29 was adopted without a vote.*

Draft resolution A/C.3/55/L.30, entitled "Torture and other cruel, inhuman or degrading treatment or punishment"

80. **Ms. Newell** (Secretary of the Committee) read a statement by the Controller in which, with reference to paragraph 26 of draft resolution A/C.3/55/L.30, he drew the Committee's attention to the provisions of section VI of resolution 45/248 B, in which the General Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters; reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions; expressed its concern at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters; and invited the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters. The Controller and his team were willing to provide members of the Committee with all the information they might wish on the matter.

81. **The Chairman** recalled that, at the time of its introduction, Australia, El Salvador, Georgia, Hungary, Uganda and Ukraine had been the sponsors of draft resolution A/C.3/55/L.30 and announced that Colombia also wished to join the list of sponsors.

82. **Mr. Joergensen** (Denmark) announced that Eritrea, Ethiopia, Malta, Poland and Sierra Leone had joined the list of sponsors of the draft resolution.

83. *Draft resolution A/C.3/55/L.30 was adopted without a vote.*

84. **Ms. Haj-Ali** (Syrian Arab Republic) said that her delegation had not wanted to place any obstacle in the way of a consensus, but wished to make it clear nevertheless that it could not accept operative paragraph 18 of the text, which suggested that the Special Rapporteur was competent to discharge functions for which he had no mandate.

85. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 114 (a).

The meeting rose at 12.45 p.m.